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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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Applicant	Romantic Tours, Inc.
Applied for Mark	BLACK BOOK
Correspondence Address	JOSEPH J WEISSMAN JOHNSON POPE BOKOR RUPPEL & BURNS LLP 403 E MADISON ST, STE 400 TAMPA, FL 33602-4614 UNITED STATES josephw@jpfirm.com, pattit@jpfirm.com
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Filer's Name	Joseph J. Weissman
Filer's e-mail	josephw@jpfirm.com, pattit@jpfirm.com
Signature	/Joseph J. Weissman/
Date	03/09/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application of: Romantic Tours, Inc.

Mark: BLACK BOOK

Filed: January 11, 2010

Serial No. 77/908,876

Examining Attorney: Tejbir Singh

Trademark Law Office: 106

APPEAL BRIEF OF APPLICANT

Joseph J. Weissman
JOHNSON, POPE, BOKOR,
RUPPEL & BURNS, LLP
403 East Madison Street, Suite 400
Tampa, Florida 33629
Phone (813) 225-2500
Fax (813) 223-7118

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I. ISSUE

Did the Examiner err in denying Applicant permission to register its subject BLACK BOOK for non-downloadable software due to an alleged likelihood of confusion with the third-party registrant's mark XXXBLACKBOOK for dating and communication services?

II. DESCRIPTION OF THE RECORD


A. Prosecution History

Applicant filed the instant application pursuant to Section 1(a) on January 11, 2010, for BLACK BOOK in International Class 042 for "Providing on-line non-downloadable software for keeping track of online companions and organizing online communications, correspondence history, events, profiles and preferences in the field of online relationships and dating."

On April 6, 2010, the Examiner issued a Notice of Suspension. Although the Examiner had found no similar registered marks that would mark registration under Section 2(d), the Examiner identified four (4) pending marks that might be cited against the application to register under Section 2(d) if they issued.

Three years later, on November 7, 2013, the Examiner issued an Office Action refusing registration based on an alleged likelihood of confusion under Section 2(d) with the following registered marks:

- (1) XXXBLACKBOOK (Reg. No. 4,051,248) in relevant part in International Class 042 for "Hosting online websites for others for organizing and conducting online meetings, gatherings and interactive discussions."
- (2) BLACKBOOK27 (Reg. No. 3,926,282) in International Class 045 for "Internet based introduction and social networking services;" and

- (3)  in International Class 045 for ""Internet based introduction and social networking services."

Applicant replied on May 7, 2014, and presented arguments why none of the cited marks should pose any obstacle to publication and registration of the applied-for mark.

In response, the Examiner issued a Final Office Action on May, 23, 2014. Therein, the Examiner withdrew the refusal to register based on the two BLACKBOOK27 marks, but made final the refusal to register based on XXXBLACKBOOK. In addition to the prior services referenced in the initial Office Action, this time the Examiner also referenced registration in IC 038 for “Chat room services for social networking; telecommunication services, namely, transmission of webcasts; providing on-line chat rooms for transmission of messages and photographs among computer users interested in meeting other people concerning personal relationship issues; electronic transmission of messages and images relating to dating; providing email services, namely, providing access to email boxes on a dating website; electronic transmission of mail and user-provided information, personal profiles and information via the Internet; instant messaging services via the Internet; electronic transmission of information and sound and video clips; providing on-line forums for transmission of messages among computer users; chat room services for social networking; providing on-line electronic bulletin boards for transmission of messages among computer users concerning personal relationship issues”

Applicant appealed the Final Office Action and requested reconsideration thereof on November 24, 2014. The Examiner denied the request for reexamination on December 19, 2014. This appeal follows.

B. Examining Attorney’s Evidence

The Examining Attorney appended 15 attachments to the November 7, 2013 Office Action. These attachments consist of the three marks initially cited in opposition to the Application, two of which the Examiner subsequently withdrew, and website evidence in support

of the Examiner's position that companies typically provide the types of services offered both by Applicant and the third-party registrants under their cited marks.

The Examining Attorney appended 28 attachments to the May 23, 2014 Office Action. Once again, these attachments consist of website evidence in support of the Examiner's position that companies typically provide the types of services offered both by Applicant and the remaining third-party registrant under their cited marks.

Finally, the Examining Attorney appended 22 new attachments to its denial of Applicant's request for reconsideration. This evidence includes website printouts from Internet dictionaries and website evidence in further support of the Examiner's position that companies typically provide the types of services offered both by Applicant and the remaining third-party registrant under their cited marks.¹

C. Applicant's Evidence

Applicant appended three (3) attachments to its May 7, 2014 response to the Examiner's November 7, 2013 Office Action. These attachments constitute Exhibits 1-3 to this brief. Exhibit 1 contains dictionary definitions of "black book." Exhibit 2 contains website printouts showing that many dating-related products and services incorporate "black book" into their names. Exhibit 3 contains proof of federal registrations relating to dating that include the term "black book."

Applicant appended two (2) attachments to its November 24, 2014 response and request for reconsideration of the Examiner's May 23, 2014 Final Office Action. These attachments constitute Exhibits 4-5 to this brief. Exhibit 4 consists of the Wikipedia website printout relating

¹ Applicant objects to the Examiner's attempt to rely on this new evidence on appeal because the Examiner submitted the evidence after Applicant had initiated the Appeal and Applicant was not given any opportunity below to respond to it or to provide evidence in response to it.

to “XXX”. Exhibit 5 consists of the Wikipedia website printout regarding the “.XXX” top-level Internet domain.

III. ARGUMENT

A. Legal Standard

An Examiner’s denial based on likelihood of confusion is reviewed *de novo* by the Board. Trademark Act Section 2(d) bars registration of an applied-for mark that so resemble a registered mark that there is a likelihood that a potential consumer would be confused, mistaken, or deceived as to the source of the goods and/or services of the applicant and registrant. *See In re E. I. DuPont DeNemours & Co.*, 476 F.2d 1357, 1361 (CCPA 1973). In testing for a likelihood of confusion under Section 2(d), the Board regularly considers the following factors from *E. I. DuPont DeNemours*:

- (1) “The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression.
- (2) The similarity or dissimilarity and nature of the goods or services as described in an application or registration or in connection with which a prior mark is in use.
- (3) The similarity or dissimilarity of established, likely-to-continue trade channels.
- (4) The conditions under which and buyers to whom sales are made, *i.e.* “impulse” vs. careful, sophisticated purchasing.
- (5) The fame of the prior mark (sales, advertising, length of use).
- (6) The number and nature of similar marks in use on similar goods.
- (7) The nature and extent of any actual confusion.
- (8) The length of time during and conditions under which there has been concurrent use without evidence of actual confusion.
- (9) The variety of goods on which a mark is or is not used (house mark, “family” mark, product mark).
- (10) The market interface between applicant and the owner of a prior mark:
 - (a) a mere “consent” to register or use.
 - (b) agreement provisions designed to preclude confusion, *i.e.*, limitations on continued use of the marks by each party.
 - (c) assignment of mark, application, registration and good will of the related business.

- (d) laches and estoppel attributable to owner of prior mark and indicative of lack of confusion.
- (11) The extent to which applicant has a right to exclude others from use of its mark on its goods.
- (12) The extent of potential confusion, *i.e.*, whether *de minimis* or substantial.
- (13) Any other established fact probative of the effect of use.”

Id. When applying these factors, a factor must be shown to be relevant to the particular case before evidence on the factor is considered. *See* MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION, §24:43 at 24-110 (2014).

In analyzing likelihood of confusion, “[t]he points of comparison for a word mark are appearance, sound, meaning, and commercial impression.” *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondée en 1772*, 396 F.3d 1369, 73 USPQ2d 1689,1691 (Fed Cir. 2005), *citing* *E. I. du Pont de Nemours*, 476 F.2d at 1361. *See* TMEP 1207.01(b)(i).

B. No Likelihood of Confusion Exists Between the Applied-For Mark and the Remaining Cited Mark

A proper consideration of the relevant factors demonstrates that there is no likelihood of confusion between Applicant’s “BLACK BOOK” mark for “Providing on-line non-downloadable software for keeping track of online companions and organizing online communications, correspondence history, events, profiles and preferences in the field of online relationships and dating” and the cited “XXXBLACKBOOK” mark for, among other things, “Hosting online websites for others for organizing and conducting online meetings, gatherings and interactive discussions” and “Online adult dating.”

- 1. Similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression**
 - a) XXX refers to pornography and creates a distinctly different connotation for the cited mark**

The Examiner’s denial is based in great part on the contention that “Applicant’s mark

does not create a distinct commercial impression because it contains the same common wording as the registered mark, and there is no other wording in applicant's mark to distinguish it from the registered mark." This argument overlooks the fact that the registered mark is a one-word mark that begins with the highly distinctive "XXX-" prefix. XXX is commonly understood to designate pornography. (See Wikipedia printout at Ex. 4 ("The XXX symbol is used to designate pornographic material in the U.S. and other regions around the world"); Wikipedia printout at Ex. 5 (regarding .XXX top-level domain for pornographic websites)). Thus, XXXBLACKBOOK connotes a commercial impression distinct from the two-word mark BLACK BOOK. XXXBLACKBOOK would be understood to relate in some way to pornography. BLACK BOOK would not.

b) In comparison to XXX, BLACK BOOK/BLACKBOOK is relatively weak for the subject matter in question

TMEP 1207.01(b)(viii) recognizes that "[i]f the common element of two marks is 'weak' in that it is generic, descriptive, or highly suggestive of the named goods or services, it is unlikely that consumers will be confused unless the overall combinations have other commonality." See, e.g., *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986)(BED & BREAKFAST REGISTRY for making lodging reservations for others in private homes held not likely to be confused with BED & BREAKFAST INTERNATIONAL for room booking agency services); *The U.S. Shoe Corp. v. Chapman*, 229 USPQ 74 (TTAB 1985)(COBBLER'S OUTLET for shoes held not likely to be confused with CALIFORNIA COBBLERS (stylized) for shoes); *In re Istituto Sieroterapico E Vaccinogeno, Toscano "SCLAVO" S.p.A.*, 226 USPQ 1035 (TTAB 1985) (ASO QUANTUM (with "ASO" disclaimed) for diagnostic laboratory reagents held not likely to be confused with QUANTUM I for laboratory instrument for analyzing body fluids.)

Here, Applicant's BLACK BOOK mark is highly suggestive of the services under which Applicant offers the mark, *i.e.*, "Providing on-line non-downloadable software for keeping track of online companions and organizing online communications, correspondence history, events, profiles and preferences in the field of online relationships and dating." The term "blackbook" or "black book" is understood to mean a social address book of potential dates follows. Several dictionary definitions support this understanding and are attached as Exhibit 1. They include:

1) DICTIONARY.COM: Defines "little black book" as "a book containing the names and addresses of acquaintances who are potential dates, usually put together by men."

2) THE FREE DICTIONARY: States in relevant part that "A ... term that has entered the popular lexicon is little black book (or simply black book). Such books are used as dating guides, listing people who the owner has dated in the past or hopes to in the future, and details of their various relationships."

3) WORDNIK: Defines "black book" to include "A book kept by a single man, containing a list of women whom he calls occasionally for a social date; -- usually used in the phrase little black book."

4) COLLABORATIVE INTERNATIONAL DICTIONARY OF ENGLISH: Defines "black book" to include "[a] book kept by a single man, containing a list of women whom he calls occasionally for a social date."

Evidence of third-party usage can also show how a term is understood. As TMEP 1207.01(d)(iii) states: "If the evidence establishes that the consuming public is exposed to third-party use of similar marks on similar goods, this evidence 'is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection,'" *citing Palm Bay Imports*, 396 F.3d 1369 at 1373. Many dating-related products and services incorporate "black book" into

their names. (See Exhibit 2). These include, by way of example only:

- 1) “Black Book Chat” (www.blackbookchat.com) a dating website;
- 2) The “Little Black Book” iPhone App;
- 3) “The Players Black Book,” a source for “picking up girls”;
- 4) “Blackbook Directory” (<https://www.blackbookdirectory.com.au>), an Australian online escort service;
- 5) “The Little Black Book of Dating Secrets,” a dating resource.

Third-party registrations can also provide evidence that the public will look at other elements of the mark as a distinguishing feature. (See TMEP §1207.01(d)(iii)); *Specialty Brands, Inc. v. Coffee Bean Distributors, Inc.*, 748 F.2d 669, 675, 223 USPQ 1281, 1285 (Fed. Cir. 1984). The federal registrations relating to dating that include the term “blackbook” or “black book” include the following:

- 1) “Janis Spindels Virtual Black Book” for “Dating services; Matchmaking services” (Reg. No. 4,013,916);
- 2) “Matt’s Little Black Book” for “Matchmaking services; ...” (Reg. No. 3,476,068);
- 3) “Blackbook27” for “Internet based introduction and social networking services: (Reg. Nos. 3,926,282)(originally cited by Examiner);
- 4) “Blackbook27” with design for “Internet based introduction and social networking services: (Reg. No. 4,065,116)(originally cited by Examiner); and
- 5) “XXXBLACKBOOK” for, *inter alia*, “Online adult dating” (Reg. No. 4,051,248)(cited by Examiner).

The Patent and Trademark Office’s conclusion that all of these marks can co-exist without any likelihood of confusion further supports the proposition that with respect to dating services, distinctive elements differentiate marks that otherwise include “blackbook.”

The relative weakness of the term Black Book as it relates specifically to dating services is not meant to suggest that the term black book is not protectable. To the contrary, even the

Examiner agrees – at least with respect to the applied-for mark for non-downloadable software – that the term is at worst highly suggestive. The point is that the XXX portion of XXXBLACKBOOK is the dominant portion of the registered mark and results in a meaningfully different overall commercial impression from the applied-for mark.

This result is in line with the rule that matter common to marks is not likely to be perceived by purchasers as distinguishing where the common element is highly suggestive or descriptive in nature. See TMEP 1207.01(b)(iii); citing *Bass Pro Trademarks, L.L.C. v. Sportsman's Warehouse, Inc.*, 89 USPQ 2d 1844 (TTAB 2008)(no likelihood of confusion between the word and design marks BASS PRO SHOPS SPORTSMAN'S WAREHOUSE (with SPORTSMAN'S WAREHOUSE disclaimed) and SPORTSMAN'S WAREHOUSE (with all wording disclaimed) for essentially the same retail store services); *In re Fresh Catfish Co.*, 231 USPA 495 (TTAB 1986)(CATFISH BOBBERS (with "CATFISH" disclaimed) for fish held not likely to be confused with BOBBER for restaurant services); *In re Shawnee Milling Co.*, 225 USPQ 747 (TTAB 1985)(GOLDEN CRUST for flour held not likely to be confused with ADOLPH'S GOLD'N CRUST and design (with "GOLD'N CRUST" disclaimed) for coating and seasoning for food times); *In re S.D. Fabrics, Inc.*, 223 USPQ 54 (TTAB 1984)(DESIGNERS/FABRIC (stylized) for retail fabric store services held not likely to be confused with DAN RIVER DESIGNER FABRICS and design for textile fabrics).

It follows that registered mark XXXBLACKBOOK has a meaningfully different connotation than BLACK BOOK. XXXBLACKBOOK is likely to be perceived as relating to pornography. A "black book" relating to pornography is not likely to be understood as a compendium of possible dates per the usual use of the term "black book" or "little black book." This meaningfully different connotation takes on addition significance given of the different

visual and sound impressions created by the prefix “XXX-” at the start of the cited one-word mark versus Applicant’s two-work mark BLACK BOOK. While “BLACKBOOK” is unlikely to be seen a source identifier when used in the cited mark, the same is not true for “BLACK BOOK” in the applied-for mark, which is for “[p]roviding on-line non-downloadable software”

2. Similarity of goods or services as described in the application

The applied-for mark is further distinguished because it is not for dating services *per se* but for “Providing on-line non-downloadable software for keeping track of online companions and organizing online communications, correspondence history, events, profiles and preferences in the field of online relationships and dating” (emphasis added). The cited mark, on the other hand, is for services such as “Online adult dating,” “Hosting online websites for others for organizing and conducting online meetings, gatherings and interactive discussions” and “Chat room services for social networking; telecommunication services ...” (emphasis added). In short, the applied-for mark is for providing non-downloadable software for maintaining specified records. The cited mark is for dating services and actual communications seemingly related to online adult dating, sex and/or pornography. Especially given the differences in the marks, these services are meaningfully different.

The Examiner has failed to put forth evidence that entities offering services like those of the registrant of the cited mark also offer non-downloadable software of the type offered by Applicant under its cited mark. Instead, the Examiner has relied in part on evidence that online dating companies provide downloadable apps for use on handheld devices. Yet, downloadable apps for handheld devices are different than non-downloadable software that needs to operate and be operated at a designated website. Other evidence on which the Examiner has relied fails to establish that entities that provide services akin to that of those under the cited mark provide

non-downloadable software for keeping track of information in the field of online relationships and dating. Thus, this factor also supports the conclusion that confusion is not likely.

IV. CONCLUSION

For the above reasons, Applicant respectfully requests that the Board overturn the decision of the Examiner and allow the applied-for mark to proceed towards registration.

Respectfully submitted,

/Joseph J. Weissman/

Joseph J. Weissman

JOHNSON, POPE, BOKOR, RUPPEL &
BURNS, LLP

P.O. Box 1100

Tampa, FL 33601-1100

Phone: (813) 225-2500

Facsimile: (813) 223-7118

Email: josephw@jpfirm.com

Attorneys for Applicant

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Slang Dictionary

little black book definition

n.
a book containing the names and addresses of acquaintances who are potential dates, usually put together by men. : *Am I in your little black book, or can you already tell that I wouldn't go out with you?*

Dictionary of American Slang and Colloquial Expressions by Richard A. Spears. Fourth Edition. Copyright 2007. Published by McGraw-Hill Education.
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Previous Definition: **little black ant**

Next Definition: **little blue heron**

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Address book

Also found in: [Dictionary/thesaurus](#), [Acronyms](#), [Encyclopedia](#)

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Address book

An **address book** or a **name and address book** (NAB) is a book or a database used for storing entries called **contacts**. Each contact entry usually consists of a few standard fields (for example: first name, last name, company name, address, telephone number, e-mail address, fax number, mobile phone number). Most such systems store the details in alphabetical order of people's names, although in paper-based address books entries can easily end up out of order as the owner inserts details of more individuals or as people move. Many address books use small ring binders that allow adding, removing and shuffling of pages to make room.

Little black book

A related term that has entered the popular lexicon is **little black book** (or simply **black book**). Such books are used as dating guides, listing people who the owner has dated in the past or hopes to in the future, and details of their various relationships. More explicit variations are guides for sexual partners. It is unclear how prevalent this is in practice or when it originated, though such books have been mentioned in many pieces of popular culture. For example, the 1953 film version of *Kiss Me, Kate* features a musical scene in which Howard Keel's character laments the loss of the social life he enjoyed before marriage, naming numerous female romantic encounters while perusing a miniature black book. More recently, the mid-2000s Guinness Brewmasters advertising campaign features the "little black book" as an invention of one of the brewmasters.

Software address book

Address books can also appear as software designed for this purpose, such as the "Address Book" application included with Apple Inc.'s Mac OS X. Simple address books have been incorporated into e-mail software for many years, though more advanced versions have emerged in the 1990s and beyond; and also in mobile phones.

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black book

Define Relate List Discuss See Hear Love

Definitions

from *The American Heritage® Dictionary of the English Language, 4th Edition*

n. A book containing names of people or organizations to blacklist.

from the GNU version of the Collaborative International Dictionary of English

One of several books of a political character, published at different times and for different purposes; -- so called either from the color of the binding, or from the character of the contents.

A book compiled in the twelfth century, containing a description of the court of exchequer of England, an official statement of the revenues of the crown, etc.

A book containing details of the enormities practiced in the English monasteries and religious houses, compiled by order of their visitors under Henry VIII., to hasten their dissolution.

A book of admiralty law, of the highest authority, compiled in the reign of Edw. III.

A book kept for the purpose of registering the names of persons liable to censure or punishment, as in the English universities, or the English armies.

Any book which treats of necromancy.

A book containing a black list.

A book kept by a single man, containing a list of women whom he calls occasionally for a social date; -- usually used in the phrase little black book.

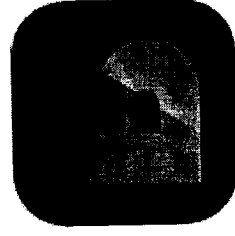
Examples

The details in the box headed "Cause of Death" in the registrar's oblong black book read "Cardiac failure due to myocardial degeneration.

The Fashion in Shrouds

According to the old record in the black book of Dublin, a cantred is said to contain 30 villatas terras, which are also called quarters of land (quarterons, cartrons); every one of which quarters must contain so much ground as will pasture 400 cows, and 17 plough-lands.

Castle Rackrent: An Hibernian Tale



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More w/ the Free Dictionary Toolbar
Dictionary.nfuc.com

black book

2 definitions found

black book - Collaborative International Dictionary of English v.0.48 :**black book** \blak"book" (b)l(a"lk" b(ow"lk")\.

1. One of several books of a political character, published at different times and for different purposes; -- so called either from the color of the binding, or from the character of the contents. [1913 Webster]
2. A book compiled in the twelfth century, containing a description of the court of exchequer of England, an official statement of the revenues of the crown, etc. [1913 Webster]
3. A book containing details of the enormities practiced in the English monasteries and religious houses, compiled by order of their visitors under Henry VIII., to hasten their dissolution. [1913 Webster]
4. A book of admiralty law, of the highest authority, compiled in the reign of Edw. III. -- Bouvier. -- Wharton. [1913 Webster]
5. A book kept for the purpose of registering the names of persons liable to censure or punishment, as in the English universities, or the English armies. [1913 Webster]
6. Any book which treats of rectitude. [1911 Webster]
7. A book containing a **black list**. [PJC]
8. A book kept by a single man, containing a list of women whom he calls occasionally for a social date; -- usually used in the phrase **little black book**. [Jocose] [P.K.]

black book - WordNet (r) 2.1 (2005):**black book**

n 1: a list of people who are out of favor (syn: **blacklist**, **black book**, **shilllist**)



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Phone: 845-369-6869 or Toll Free: 877-GO-RUSTY (877-467-8789)
Original Url: <http://www.rustybrick.com/iphone-blackbook.php>

Little Black Book for iPhone / iPod Touch

Finally, an iPhone application for you - the player. This Little Black Book will keep your more precious girlfriends or boyfriend's information under lock and key. Keep track of whom you went on dates with, where you took them and how great those dates were.

The Little Black Book for the iPhone or iPod Touch lets you securely and confidentially store your dating history at the palm of your hand. You can copy contacts from your contacts list or add them new into the Black Book. You can add the places you took your dates, plus you can keep track of each date.

Each contact (girlfriend or boyfriend) has their contact information, rating information, and is hyperlinked to the place you took them and the number of dates you took them to. Each venue has notes, location information, a picture, rating and is also hyperlinked back to the contacts you took to that venue. Plus, you can keep track of each date you went on with each contact.

Want to find a hot date quickly? Just tag your best girlfriends or boyfriends.
Want to find a great place to take a date? Just tag that venue and it will forever be remembered.

No longer look insensitive when your date calls you and you forget her name. Pull up the Black Book and read him or her back the exact details of your last 4 dates.

Hope you enjoy, and we will love to hear your feedback!

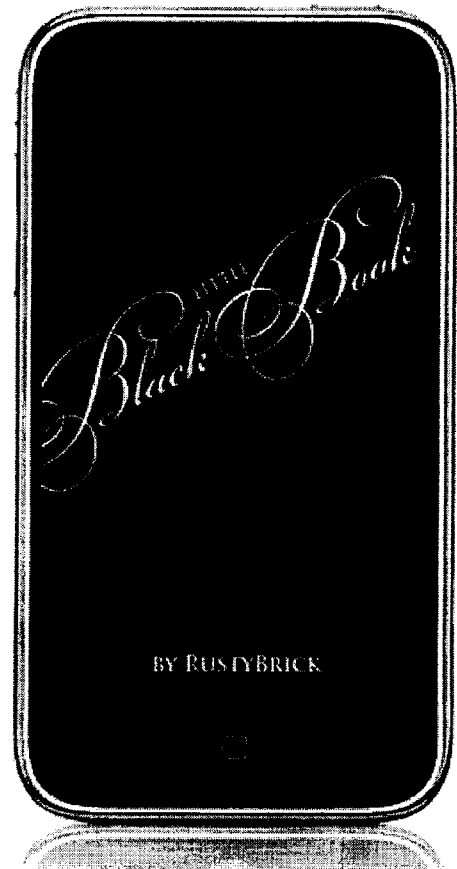
Little Black Book Includes:

- Password Protected Access
- Contacts database tailored for dating
- Venue database tailored for dating
- A date tracker
- Filter dates, contacts, and venues alphabetically, by most recent, by favorites, by type or by "tagged."
- Several customized skins for your black book's interface

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AS SEEN ON... YAHOO! msn LYCOS AOL Ask Jeeves Google Netscape

The Player's **Black Book**

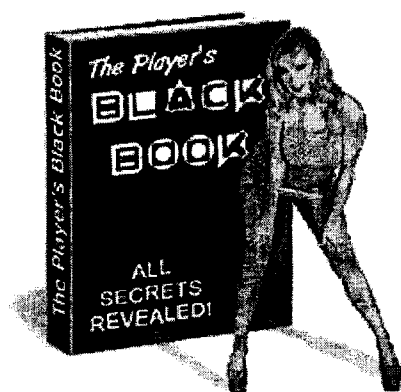
**This Is NOT Your Guide To Finding Your Soul Mate...
...This Is Your Guide To Getting LAID!**

**ALL "DIRTY LITTLE
SECRETS" REVEALED!**



This Info is Just Too Good To Put on Any Website

**This Is The MOST POWERFUL Book On
Picking Up Girls EVER Written... Because
EVERYONE That Reads It Gets Laid!!**



This book contains ALL of my personal favorite pick-up techniques that I have used successfully hundreds of times in the past. These are the absolute BEST tricks and secrets that I've learned through years of practice... and they are effective that I've withheld them from the public... UNTIL NOW! - The Player

**YOU Can Get a New Girl Tonight...
AND EVERY NIGHT!**

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[Register here to create a 1 MONTH FREE PROFILE \(/user/register\)](#)

NSW

Select city

Go

[Advanced search](#)

NSW Services

Dominique Blaze

Description

Hello lovers!

Let's start with me revealing a little bit about myself before I meet you to reveal all of me....

I often have people tell me that I remind them of Kim Kardashian. But in truth there is no comparison...

I am a very special tasty little morsel indeed boys AND girls ;-)

I have a very classic look, and a tiny obsession with lingerie which working as a high class Sydney escort becomes a major shopping obsession...! The good news is that this means that I definitely always bring the wow factor.

As you can tell I have many assets, I am busty with a nice perky bum which I love to keep in shape. To the tips of my toes I ensure I am always perfectly poised and presented. The only time you will see me disheveled is hopefully after the wild naughty session you and I will be having.

Unlike some escorts, I also have a personality... and a very wicked sense of

humor. I've been told this makes the entire...

22

\$0 - Call to arrange

\$800 per hour

Age

Overnight

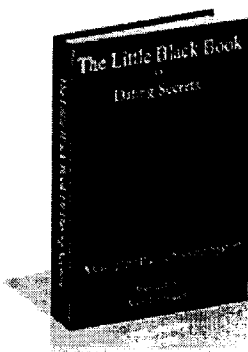
Price

[illegible]



Hey, you should have kept those secrets just for us! *by early reviewers.*

Finally, A Book That You Have Been Waiting



**A complete, powerful, easy to follow
guide to dating, guaranteed to
greatly improve your success with
women!**

Here is what our readers say about this book:

- *... you have been warned – this is the simplest yet most powerful guide on dating you've ever read!" - Alex, SF*
- *Surprisingly fresh and unorthodox approach that works for me. Btw, great job on explaining how to use body language - works like a charm!" - Malcolm, U.K.*
- *This is just what I have been looking for! Perfect guide that works for me without the motivational hype. Thanks!" - Chris, New Jersey*
- *"Guys, I'm back in business! I was surprised that every other sentence is actually a piece of advice and thanks for reminding me about all those little things that matter." - David, New York*
- *"I was getting really desperate, things could not have been any worse but this book gave me the way out. I grabbed it as if it was my last chance and you know what? When I was done reading it, I realized that guys who wrote it were in my shoes at some point and they really knew it feels to be lonely and desperate and knew the way out! Thank you for helping me, thank you for thinking about guys like me! It really was a life changing book for me!" - Harrison, New York*

Have you ever been in situation like this?

You finally take her out on a date, have a good dinner, watch a movie, maybe a little dance and few drinks - everything seems to be going smoothly but nothing really happens. She seems to be uninterested! You take her home and that's it - you walk away alone and wondering what went wrong.

How would you feel, if you knew that there was a way to save that date? That this date could have ended much differently if you just knew a couple of simple secrets?



What will happen after you read this book?

Here's our promise. It will CHANGE your life. That's a bold statement to make, we know - and we're behind it! If, right now, you are struggling with getting dates and even talking to women, or are just wondering what went wrong on your date - again! - then, after reading this book, you will gain knowledge of all these things that are crucial to successful dating.

STOP. Here's a warning. If you read this book and continue sitting on your butt and do nothing - guess what - your dating life won't improve one bit.

If you are willing to take action, this book will guide you through everything you need to know to approaching the girls, talking to them, getting phone numbers, getting laid and building a relationship.

If you are still reading, we know that you are an action taker. That is 90% of success right there. For the rest of it, you need knowledge from our book!

In short - you won't be that lonely guy in the corner anymore, just watching from the sidelines, instead, you'll be in the center of the action.

You deserve it.



Not convinced yet you need it?

Give us only 30 more seconds of your time, and we'll **PROVE** it to you, that this is the book that will immensely increase your success with women:

- Various reasons for dating are explained – no cookie cutter approach
- Body language explained – read the women like open books
- Approaching the girl – do it right this time!
- When to call and what to say
- Conversation guide

- Arranging further dates
- Perfect places for meeting women both for love and for fun reviewed and detailed & given on each one of them
- How to approach women in groups – when you can make your move
- You don't HAVE to know how to dance – work your way around it!
- How to pick the right person – learn how to recognize lost causes and move on
- Various girl types explained – office girls, casual types, sporty babes and more
- How to avoid “the friend zone”
- Where to take a date
- Dress code for dates explained
- How to deal with a rejection
- How to get her number
- Beautiful girls – why you shouldn't be afraid of them
- Tips on flattery – no need to make rookie mistakes!
- How to ask her out

There's a lot more in this book, it has 9 chapters and more than one hundred pages and it is simply list everything here. So why don't you check it out already?

This Book Is Written By Guys Like You - For Guys Like

From Matt & Andy, authors of “The Little Black Book Of Dating Secrets”

Dear reader,

This book is not by any means just another story of success where we brag how lame and how cool we became. Instead, this is a compilation of our efforts to work out and try understand the mystery of women, compiled from our field notes, observations and various tested not only by two of us but many our friends and even some younger generation really well.

Writing this book wasn't easy. We both wanted different things out of our dates, and then complicated it even more – because there's a difference whether you are trying to seal the deal for one night, or are out for that perfect soul mate of yours. That's when it hit us – we'll just write each of our own perspective, and compile it together in this book.

When writing, we didn't hold anything back – everything we knew, went on the paper. It's packed with advice we have spent a lot of time on perfecting, and it really works, if you apply it properly!

We wish you lots of success with your dating, and remember – for this advice to work, you have to actually get off your back and do stuff! Don't worry though – the way we explain it, makes it easy and fun.

Alright, so what is the price of this dating guide?

It is just \$19.95!

CLICK HERE TO BUY YOUR COPY AND START READING NOW!

**For a single payment of \$19.95 you will get access to this great 110 p
long dating guide book which, unlike many others, is not a compilati
copy/paste from the net. We have the "real deal", wrote it ourselves ba
great many experiments and observations!**

There will be no gimmicks, no secret payments, no upsells, no email

***60 days money back guaranteed if you are not satisfied with this fan
book!***

Secure and easy payment with PayPal or Credit Card of your choi

It is a really good value!

What will You get when You purchase this book?

By completing order form, you certify that you understand the following:

- You will gain access to The Little Black Book Of Dati
Secrets, 110 pages long digital e-book packed with
priceless dating advice and many secrets that you w
find anywhere else, teaching you to new ways of suc
when dating women!**

Your order will be processed securely by a reputable and trustworthy processor "Clickbank".

**The book will be available for you to download immediately after purchase in a PDF format (you'll r
Adobe Acrobat Reader, available FREE)!**

**CLICK HERE OR BUTTON BELOW TO COMPLETE SECURE ORDER FOI
GAIN INSTANT ACCESS TO LITTLE BLACK BOOK OF DATING SECF
NOW FOR JUST \$19.95!**

Order Now



If you have any questions, you're welcome to contact us at support@thelittleblackbookofdatingsecrets.com
We will be glad to assist you with any concerns you may have.

Common Concerns about Ordering Online

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[FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)
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[TSDR](#) [ASSIGN Status](#) [ITAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Janis Spindels Virtual Black Book

Word Mark	JANIS SPINDELS VIRTUAL BLACK BOOK
Goods and Services	IC 045. US 100 101. G & S: Dating services; Matchmaking services. FIRST USE: 20110101. FIRST USE IN COMMERCE: 20110101
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85145821
Filing Date	October 5, 2010
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	April 19, 2011
Registration Number	4013916
Registration Date	August 16, 2011
Owner	(REGISTRANT) Falcar Ltd CORPORATION NEW YORK PO Box 6 9 Fairhills Lane Bridgehampton NEW YORK 119320006
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VIRTUAL" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Other Data	The name(s), portrait(s), and/or signature(s) shown in the mark identifies "Janis Spindel", whose consent(s) to register is made of record.

Trademark Electronic Search System (TESS)

Live/Dead Indicator **LIVE**

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST	NEXT LIST
FIRST DOC	PREV DOC	NEXT DOC	LAST DOC							

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[FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

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[Start](#) List At: OR [Jump](#) to record: **Record 42 out of 54**

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

MATT'S LITTLE BLACK BOOK

Word Mark	MATT'S LITTLE BLACK BOOK
Goods and Services	IC 045. US 100 101. G & S: Matchmaking services; Personal image consulting services; Personal lifestyle consulting services. FIRST USE: 20040901. FIRST USE IN COMMERCE: 20050101
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
Serial Number	77355194
Filing Date	December 18, 2007
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 13, 2008
Registration Number	3476068
Registration Date	July 29, 2008
Owner	(REGISTRANT) Matt's Little Black Book, Inc. CORPORATION NEW JERSEY 218 Beach Drive Seaside Park NEW JERSEY 08752

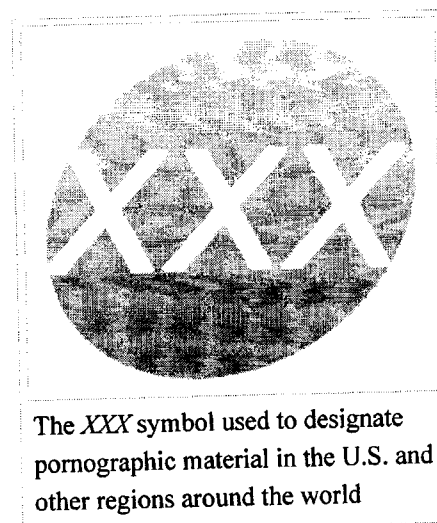
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Pornography

From Wikipedia, the free encyclopedia

Pornography (often abbreviated as "**porn**" or "**porno**" in informal usage) is the portrayal of sexual subject matter for the purpose of sexual arousal. Pornography may be presented in a variety of media, including books, magazines, postcards, photographs, sculpture, drawing, painting, animation, sound recording, film, video, and video games. The term applies to the depiction of the act rather than the act itself, and so does not include live exhibitions like sex shows and striptease. The primary subjects of pornographic depictions are pornographic models, who pose for still photographs, and pornographic actors or porn stars, who perform in pornographic films. If dramatic skills are not involved, a performer in a porn film may also be called a model.



Various groups within society have considered depictions of a sexual nature immoral and noxious, labeling them pornographic, and attempting to have them suppressed under obscenity and other laws, with varying degrees of success. Such works have also often been subject to censorship and other legal restraints to publication, display or possession. Such grounds and even the definition of pornography have differed in various historical, cultural, and national contexts.^[1]

Social attitudes towards the discussion and presentation of sexuality have become more tolerant and legal definitions of obscenity have become more limited, leading to an industry for the production and consumption of pornography in the latter half of the 20th century. The introduction of the home video and Internet saw a boom in the worldwide porn industry that generates billions of dollars annually. Commercialized pornography accounts for over US\$2.5 billion in the United States alone,^[2] including the production of various media and associated products and services. This industry employs thousands of performers along with support and production staff. It is also followed by dedicated industry publications and trade groups as well as the mainstream press, private organizations (watchdog groups), government agencies, and political organizations.^[3] More recently, sites such as pornhub.com, redtube.com and youporn.com, have served as repositories for home-made or semi-professional pornography, made available free by its creators (who could be called exhibitionists). It has presented a significant challenge to the commercial pornographic film industry.

Irrespective of the legal or social view of pornography, it has been used in a number of contexts. It is used, for example, at fertility clinics to stimulate sperm donors. Some couples use pornography at times for variety and to create a sexual interest or as part of foreplay. There is also some evidence that pornography can be used to treat voyeurism.^{[4][5]}

Contents

- 1 Etymology

.XXX

From Wikipedia, the free encyclopedia

.xxx (pronounced "dot triple-X" or "dot x x x") is a sponsored top-level domain (sTLD) intended as a voluntary option for pornographic sites on the Internet. The sponsoring organization is the International Foundation for Online Responsibility (IFFOR).^[1] The registry is operated by ICM Registry LLC. The ICANN Board voted to approve the sTLD on 18 March 2011.^[2] It went into operation on 15 April 2011.^[3]

The TLD entered its sunrise period on 7 September 2011 at 16:00 UTC;^[4] the sunrise period ended 28 October 2011. Landrush period lasted from 8 November through 25 November, and General Availability commenced on 6 December 2011.^[5]

Contents

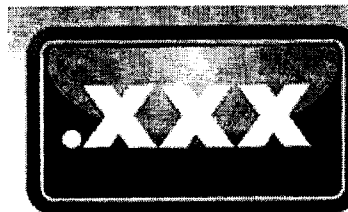
- 1 Background
- 2 Proposal by ICM Registry
- 3 Manwin suits
- 4 Alternative implementations
- 5 References
- 6 External links

Background

A gTLD (generic top-level domain) for sexually explicit material was proposed as one tool for dealing with the conflict between those who wish to provide and access such material through the Internet, and those who wish to prevent access to it, either by children and adolescents, or by employees at their workplaces.

Advocates of the idea argue that it will be easier for parents and employers to block the entire TLD, rather than using more complex and error-prone

.xxx



.xxx TLD Logo from ICM Registry

Introduced	2011
TLD type	Sponsored top-level domain
Status	Generally available
Registry	ICM Registry, LLC
Sponsor	International Foundation for Online Responsibility
Intended use	Internet pornography
Actual use	Mainly as secondary domains for pornographic websites; primary domains still tend to be under .com
Registration restrictions	Applicants are pre-screened and their existing Web sites checked to ascertain they are part of the adult entertainment community; a post-registration challenge process exists also; standards such as not marketing to minors must be adhered to
Structure	Direct second-level registrations allowed
Documents	RFC 3675, ICANN New sTLD RFP Application (http://www.icann.org/tlds/stld-apps-19mar04/xxx.htm)
Dispute policies	UDRP, Charter Eligibility Dispute Resolution Procedure (CEDRP) (http://www.icann.org/tlds/agreements/sponsored/sponsorship-agmt-att12-13oct01.htm), Start-Up

content-based filtering, without imposing any restrictions on those who wish to access it.^[6] Editors of explicit content sites, however, were afraid that the use of a single TLD like .xxx would also make it easier for search engines to block all of their content.^[7]

	Trademark Opposition Procedure (STOP)
Website	ICM Registry (http://icmregistry.com/)
DNSSEC	No

Critics of the idea argue that because there is no requirement for providers of explicit content to use the TLD, sexually explicit material will still be commonplace in other domains, making it ineffectual at restricting access, and simply creating a new "landrush" as registrants of .com domains hosting explicit material attempt to duplicate their registrations in the .xxx domain, competing with operators who hope to register desirable names unavailable in other TLDs. There is also concern that the existence of .xxx will lead to legislation making its use *mandatory* for sexually explicit material, leading to legal conflicts over the definition of "sexually explicit", free speech rights, and jurisdiction.^{[6][8]}

There is also early evidence that .xxx domain names will be registered not with the intent to focus on pornographic content, but to use the adult connotations as a benefit to a marketing strategy.^[9] An example is the registration of `kite.xxx`, which is aimed at the extreme sport of kitesurfing, thus benefiting from sexual connotations and innuendo for humor and promotional purposes. Another example of a .xxx domain name being registered without a focus on pornographic content was the registration of `popebenedict.xxx`, which contained pro-Islamic content despite being named after Pope Benedict XVI.^[10]

Proposal by ICM Registry

The .XXX TLD was first proposed in 2000 by ICM Registry and resubmitted in 2004, but it faced strong opposition from politicians and conservative groups.^[11]

ICANN announced on 1 June 2005 a preliminary approval of .xxx as an sTLD similar to .aero, .travel, etc. ICM said it would charge \$60/year for domains. In December 2005, discussions about the implementation of .xxx were taken off the agenda of ICANN Governmental Advisory Committee (GAC), placing its future in doubt. In its March 2006 meeting, the GAC formulated a letter of concern to the ICANN board about .xxx. On 10 May 2006, ICANN reversed the approval.^[12] On 6 January 2007, ICANN put up for public comment a revised proposal^[13] following changes to the policy of the ICM registry including the policing of any site that signs up to use the .xxx registry.^[14] On 30 March 2007, the ICANN board again rejected the .xxx proposal for the third time.^[15]

On 6 June 2008, in accordance with ICANN bylaws, ICM filed an application with the International Centre for Dispute Resolution for an independent review challenging ICANN's decision. The filing became ICDR Case No. 50 117 T 00224 08, and in September 2009, a live hearing was held in Washington, DC, where both sides submitted documentary evidence and witness testimony. on 19 February 2010, the ICDR's independent review panel – consisting of Stephen M. Schwebel, Jan Paulsson and Dickran Tevrizian – issued its declaration.^[16] The panel found that the application for the ".XXX sTLD met the required sponsorship criteria," and that "the Board's reconsideration of that finding was not consistent with the application of neutral, objective and fair documented policy".^[17] At

the ICANN meeting in Nairobi in March 2010 the board resolved to consider "process options". A 45-day public comment was opened on 26 March 2010.^[18] At the Brussels ICANN meeting in June 2010, the ICANN board resolved to restart the process, including renewed due diligence and GAC consultations.^[19]

On 18 March 2011, ICANN's board approved the execution of the registry agreement with ICM for the .xxx sponsored top level domain. The vote was 9 in favor, 4 against, with 3 abstentions.^[20]

ICM is expected to make over \$200 million a year, with 3 to 5 million domain registrations, as companies are anticipated to defensively register their domains.^[21]

Manwin suits

On 16 November 2011, Manwin Licensing International, a company that operates several popular adult websites including YouPorn, filed a request for a 2nd ICANN Independent Review Proceeding. In the request Manwin asks that the .xxx delegation be voided, or, if not, put up to competition on renewal.^[22]

On the same day Manwin, together with adult film studio Digital Playground, filed a suit in the Central District of California against ICM alleging antitrust and competition violations.^{[23][24]} Among the claims in the suit are that ICANN provided "no competitive process for the award of the .XXX registry contract" and that ICM CEO Stuart Lawley "has announced that he expects to be able (and intends) to prevent the establishment of any other (potentially competing) adult-content TLDs, including through a contractual promise by ICANN not to approve such TLDs".^[25]

On 14 August 2012, Judge Philip S. Gutierrez granted in part and denied in part ICANN's motion to dismiss Manwin's claims and allowed the case against ICANN to move forward.^[26] On 10 May 2013, the case was voluntarily dismissed by the parties, likely due to private settlement.^[24]

Alternative implementations

Starting in 2005, there was an alternative implementation of .xxx by New.net, a private domain registration service unaffiliated with ICANN, via an alternative DNS root.^{[27][28][29]} New.net no longer offers domain names under this unofficial TLD.

Another unofficial .xxx TLD was previously available through the alternative DNS root system administered by the now-defunct AlterNIC.^[30]

References

- ↑ "International Foundation for Online Responsibility" (<http://web.archive.org/web/20110325212454/http://www.iffor.org/>). Iffor.org. Archived from the original (<http://iffor.org/>) on 25 March 2011. Retrieved 21 March 2011.
- ↑ "Adopted Board Resolutions" (<http://web.archive.org/web/20110423020356/http://icann.org/en/minutes>

- /resolutions-18mar11-en.htm). ICANN. 18 March 2011. Archived from the original (<http://www.icann.org/en/minutes/resolutions-18mar11-en.htm#5>) on 23 April 2011. Retrieved 21 March 2011.
3. ^ Kevin Murphy (17 April 2011). "XXX domain names go live" (http://www.theregister.co.uk/2011/04/17/xxx_goes_live/). *The Register*. Retrieved 17 May 2011.
 4. ^ "XDnet Web Hosting Blog » Blog Archive » .XXX is here – Sunrise period has began" (<http://xdnet.co.uk/blog/2011/09/08/xxx-is-here-sunrise-period-has-began/>). Xdnet.co.uk. 8 September 2011. Retrieved 11 November 2011.
 5. ^ "XDnet Web Hosting Blog » Blog Archive » .XXX – What's it all about?" (<http://xdnet.co.uk/blog/2011/07/27/xxx-whats-it-all-about/>). Xdnet.co.uk. 27 July 2011. Retrieved 11 November 2011.
 6. ^ ^a ^b "Senators Baucus and Pryor Author Bill to Create Mandatory Adult TLD" (<http://www.ynot.com/content/106019-senators-baucus-pryor-author-bill-create-mandatory-adult-tld.html>). YNOT. 16 March 2006. Retrieved 21 March 2011.
 7. ^ ".XXX domains go live on World Wide Web – Adult sites to become more controlled | Blog Gadget Helpline/" (<http://blog.gadgethelpline.com/xxx-domains-live-world-wide-web-adult-sites-controlled/>). Gadget Helpline.com. 18 April 2011. Retrieved 19 April 2011.
 8. ^ "Mandatory .XXX Senate Bill Created" (<http://seoblackhat.com/2006/03/16/mandatory-xxx-senate-bill-created/>). SEO BlackHat. 16 March 2006. Retrieved 21 March 2011.
 9. ^ Lance Ulanoff (10 December 2011). "XXX domains an obvious failure (user comments)" (<http://mashable.com/2011/12/10/xxx-domains-an-obvious-failure/>). Mashable. Retrieved 29 December 2011.
 10. ^ Murphy, Kevin (19 March 2012). Pope Benedict in .XXX pro-Islam cybersquat drama (http://www.theregister.co.uk/2012/03/19/pope_benedict_cybersquatter/). *theregister.co.uk*.
 11. ^ Previous post Next post (19 March 2011). "ICANN Approves .XXX Red-Light District for the Internet | Epicenter" (<http://web.archive.org/web/20110322164758/http://www.wired.com/epicenter/2011/03/icann-approves-xxx/>). *Wired*. Archived from the original (<http://www.wired.com/epicenter/2011/03/icann-approves-xxx/>) on 22 March 2011. Retrieved 21 March 2011.
 12. ^ Internet agency nixes '.xxx' Web addresses (<http://www.msnbc.msn.com/id/12728784/>).
 13. ^ "ICANN Publishes Revision to Proposed ICM (.XXX) Registry Agreement for Public Comment" (<http://www.webcitation.org/5gAwFTjYy>). Archived from the original (<http://www.icann.org/announcements/announcement-05jan07.htm>) on 20 April 2009. Retrieved 14 April 2009.
 14. ^ "Proposal for porn domain revived" (<http://news.bbc.co.uk/1/hi/technology/6240725.stm>). BBC News. 8 January 2007. Retrieved 2 November 2009.
 15. ^ MSNBC: Agency votes against '.xxx' domain for porn (<http://www.msnbc.msn.com/id/17868186/>). Retrieved 11 July 2007.
 16. ^ "Independent Review Panel Declaration" (<http://www.icann.org/en/news/irp/icm-v-icann/news/irp-panel-declaration-19feb10-en.pdf>). ICANN. 19 March 2010. Retrieved 2 March 2014.
 17. ^ "ICANN Options Following the IRP Declaration on ICM's .XXX Application" (<http://web.archive.org/web/20100601104745/http://www.icann.org/en/irp/icm-v-icann/draft-options-post-irp-declaration-26mar10-en.pdf>). ICANN. 26 March 2010. Archived from the original (<http://www.icann.org/en/irp/icm-v-icann/draft-options-post-irp-declaration-26mar10-en.pdf>) on 1 June 2010. Retrieved 6 May 2010.

18. ^ "Public Comment: Report of Possible Process Options for Further Consideration of the ICM Application for the .XXX sTLD" (<http://web.archive.org/web/20100428064011/http://icann.org/en/announcements/announcement-2-26mar10-en.htm>). ICANN. 26 March 2010. Archived from the original (<http://www.icann.org/en/announcements/announcement-2-26mar10-en.htm>) on 28 April 2010. Retrieved 6 May 2010.
19. ^ "Adopted Board Resolutions" (<http://web.archive.org/web/20110613123143/http://www.icann.org/en/minutes/resolutions-25jun10-en.htm>). ICANN. 25 June 2010. Archived from the original (<http://www.icann.org/en/minutes/resolutions-25jun10-en.htm#5>) on 13 June 2011. Retrieved 21 March 2011.
20. ^ "ICANN Board – dot xxx decision – March 18, 2011" (http://www.youtube.com/watch?v=YidaDxIH_8I). Wwhatsapp. 20 March 2011. Retrieved 21 March 2011.
21. ^ "ICANN Approves .XXX Domain for Adult Web Content" (<http://www.eweek.com/c/a/Cloud-Computing/ICANN-Approves-XXX-Domain-for-Adult-Web-Content-427485/>). *Cloud Computing News*. eweek.com. Retrieved 11 November 2011.
22. ^ "Manwin Licensing International v. ICANN" (<http://www.icann.org/en/irp/manwin-v-icann.htm>). ICANN. Retrieved 18 November 2011.
23. ^ "Complaint - Manwin Licensing International S a r l et al v. ICM Registry LLC et al, 2:11-cv-09514, No. 1 (C.D.Cal. Nov. 16, 2011)" (https://www.docketalarm.com/cases/California_Central_District_Court/2--11-cv-09514/Manwin_Licensing_International_S_a_r_l_et_al_v_ICM_Registry_LLC_et_al/1/). Docket Alarm.
24. ^ ^{*a b*} "Court Docket - Manwin Licensing International S a r l et al v. ICM Registry LLC et al" (https://www.docketalarm.com/cases/California_Central_District_Court/2--11-cv-09514/Manwin_Licensing_International_S_a_r_l_et_al_v_ICM_Registry_LLC_et_al/).
25. ^ Rhett Pardon (16 November 2011). "Manwin, Digital Playground File Suit Against ICM, ICANN" (http://www.xbiz.com/news/news_piece.php?id=141106). Xbiz. Retrieved 18 November 2011.
26. ^ "Order Granting in Party and Denying in Part ICANN and ICM's Motion to Dismiss" (https://www.docketalarm.com/cases/California_Central_District_Court/2--11-cv-09514/Manwin_Licensing_International_S_a_r_l_et_al_v_ICM_Registry_LLC_et_al/40/). Docket Alarm, Inc. Retrieved 19 July 2013.
27. ^ "Domain Names" (<https://www.new.net/search>). New.net. Retrieved 21 March 2011.
28. ^ "XXX domain drop leads to having the US Government Sued" (<http://web.archive.org/web/20110521132215/http://spotlightingnews.com/article.php?news=2268>). Spotlighting News. Archived from the original (<http://www.spotlightingnews.com/article.php?news=2268>) on 21 May 2011. Retrieved 21 March 2011.
29. ^ "The True About New.net Domain Names" (<http://www.netchain.com/Reference/New.net.asp>). Netchain.com. Retrieved 21 March 2011.
30. ^ Chris Oakes (10 April 1998). "AlterNIC to Reincarnate?" (<http://www.wired.com/science/discoveries/news/1998/04/11604>). *Wired*. Retrieved 21 March 2011.

External links

- IANA: .xxx whois information (<http://www.iana.org/root-whois/xxx.htm>)
- W3C: Why Using TLDs for Filtering is Ineffective, Harmful, and Unnecessary (<http://www.w3.org/2004/03/28-tld>)
- ICANN: ICM v. ICANN (<http://www.icann.org/en/irp/icm-v-icann.htm>)
- ICANN: 18 March 2011 Draft Rationale for Approving Registry Agreement with ICM's for .XXX sTLD (<http://www.icann.org/en/minutes/draft-icm-rationale-18mar11-en.pdf>)
- ICANN: Chronological History of ICM's Involvement with ICANN (<http://www.icann.org/en/irp/icm-v-icann/icm-icann-history-21feb10-en.pdf>)
- Global Arbitration Review: Panel makes internet history (<http://www.globalarbitrationreview.com/news/article/27767/panel-makes-Internet-history/>)

Retrieved from "<http://en.wikipedia.org/w/index.php?title=.xxx&oldid=634442204>"

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